

SERVED : January 5, 1993

NTSB Order No. EA-3758

UNITED STATES OF AMERICA  
**NATIONAL TRANSPORTATION SAFETY BOARD**  
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD  
at its office in Washington, D.C.  
on the 29th day of December, 1992

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THOMAS C. RICHARDS,  
Administrator,  
Federal Aviation Administration,

Complainant,

Docket SE-10590

v.

LEONARD KRAGNESS,

Respondent.

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ORDER DENYING STAY

Respondent, through counsel, has filed a motion asking the Board to stay, pending judicial appeal, the effective date of NTSB Order No. EA-3682, served October 5, 1992, by which respondent's commercial pilot certificate was revoked.<sup>1</sup> Respondent's request is denied.

The Board consistently denies requests for stays pending judicial review in cases involving revocation "because the revocation of a certificate, in contrast to a suspension, is based upon the conclusion that the airman's conduct is sufficiently egregious as to demonstrate a lack of the qualifications required of a certificate holder." Administrator

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<sup>1</sup>The Administrator has not filed a response to the motion.

v. Balestra, NTSB Order No. EA 3065 at 1-2 (1990). Respondent \*s pilot certificate was revoked in the instant case because of his federal conviction for offenses relating to the trafficking of drugs and which involved the use of aircraft. The Board believes that aviation safety and the public interest require that, under such circumstances, he be denied the right to exercise the privileges of his certificate pending judicial review.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's request for a stay is denied.

VOGT , Chairman, COUGHLIN, Vice Chairman, LAUBER, HART, and HAMMERSCHMIDT , Members of the Board, concurred in the above order.